

REMARKS

The present response is to the Office Action mailed in the above-referenced case on November 3, 2005. Claims 1-18 are standing in the application. The Examiner rejects claims 5, 15 and 17 under 35 U.S.C. §112 as indefinite, and has rejected all of the standing claims under 35 U.S.C. §103(a) citing and relying upon several references including Ricken, Bryant, Schortmann and Widdeman of record.

After careful study of the rejections and reasoning the applicant has canceled the standing claims, rendering the objections and rejections moot, and has entered eleven new claims 19-29. The new claims are derived from the same subject matter as the cancelled claims, but with somewhat different combination of features and limitations.

New independent claim 19 recites a layer next to the animal's skin, the layer comprising PCM-coated fibers, and is limited to a structure that is permeable to air and water. These features are now seen by the inventor to be important to the operation and use of the invention. The PCM needs to be in contact with the animal's flesh to be really effective, and the structure must pass perspiration. New independent claim 23 comprises fibers having rare-earth material, and the structure is limited to being permeable to air and water as well. New claim 26 comprises both PCM and rare earth elements to be in contact with the animal's flesh.

The new limitations in the claims are supported in the spec by at least the paragraph beginning on Page 12, line 25 through page 13, line 8, as follows:

"In the present invention Holofiber™ is used in a unique way not before accomplished, and particularly adaptable to products for horses and other animals. This unique combination provides a layer of material based on wool felt and Holofiber™ in substantially equal proportions in a preferred embodiment. Holofiber™ is mixed with wool fibers prior to making the felt, and after the felt is made, the fibers (both Holofiber™ and wool of the felt) are coated with PCM. This composite material is then used as a layer in a layered structure as described above in various embodiments. In some cases this combo layer of Holofiber™-containing felt with PCM may be the first layer in

contact with a horse's flesh, and in other cases there may be one or more intervening layers."

The applicant has reviewed all of the references including those applied in the present case, and does not find teaching to read on all of the limitations of the new claims, and therefore believes all of the new claims standing for examination are novel and clearly patentable over the art of record. Applicant respectfully requests reconsideration, and that the present case be passed quickly to issue. If there are any time extensions needed beyond any extension specifically requested with this response, such extension of time is hereby requested. If there are any fees due beyond any fees paid with this amendment, authorization is given to deduct such fees from deposit account 50-0534.

Respectfully Submitted,
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